

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Jason Hymes,

Case No. 1:22-cv-2010

Petitioner,

v.

ORDER

Warden, Douglas Fender,

Respondent.

Before me is the Report and Recommendation (“R & R”) of Magistrate Judge Jonathan D. Greenberg filed on February 28, 2023. (Doc. No. 9). Under the relevant statute:

Within [fourteen (14)] days after being served a copy of these proposed Findings and Recommendation, any party who wishes to object must file and serve written objections or further appeal is waived.

United States v. Campbell, 261 F.3d 628, 631-32 (6th Cir. 2001) (citation omitted); *see also* 28 U.S.C. § 636(b)(1) (effective Dec. 1, 2009); Fed. R. Civ. P. 72(b)(2). In this case, the fourteen-day window for objections has elapsed, and no objections have been filed.

Following review of Judge Greenberg’s R & R, I adopt it in its entirety as the Order of the court. Because the Supreme Court of Ohio has now denied Petitioner’s delayed appeal, Respondent’s motion to dismiss is moot and is denied as such. (Doc. No. 6). Respondent shall now respond substantively to Petitioner’s Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. Judge Greenberg’s Initial Order shall govern the schedule and manner to answer the petition and brief this matter. (Doc. No. 3).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge